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HOUSE BILL 2002 By
Whitson

SENATE BILL 1977
By Haun

AN ACT To amend Tennessee Code Annotated, Title 13, Chapter 24, Part 3, relative to regulation of telecommunication towers in any county having a population of not less than seventeen thousand five hundred (17,500) nor more than seventeen thousand seven hundred (17,700), according to the 2000 federal census or any subsequent federal census.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 24, Part 3, is amended by adding the following language as a new, appropriately designated section:

§ 13-24-304.

(a) Notwithstanding any provision of this part or any other law to the contrary, in any county having a population of not less than seventeen thousand five hundred (17,500) nor more than seventeen thousand seven hundred (17,700), according to the 2000 federal census or any subsequent federal census, by duly adopted resolution of the county legislative body, the county planning commission may be directed to promulgate and enforce regulations governing the placement, height, and appearance of telecommunication towers within the unincorporated areas of the county. Any such regulation by the county planning commission shall ensure an adequate level of

telecommunication services to the county while preserving and protecting the scenic beauty and natural integrity of pre-existing, publicly-owned parks, preserves, forests and natural areas.

(b) As used in this section, "telecommunication tower" means any structure or facility used for the purpose of supporting one or more antennas for telephone, radio or other similar means of wireless transmissions. The term includes, but is not necessarily limited to, those structures and facilities commonly known as microwave towers, cell towers and wireless transmission towers. The term does not include any structure or facility used only to support antennae for stations licensed by the federal communications commission in the amateur radio service.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.